

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES, *et al.*,

Defendants.

Civil Action No.: 1:25-cv-11048-
ADB

MOTION OF ADDITIONAL INSTITUTIONS FOR LEAVE TO JOIN A BRIEF *AMICI CURIAE* FILED ON BEHALF OF RESEARCH UNIVERSITIES IN SUPPORT OF PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT

American University; Georgetown University; Stanford University; University of Delaware; University of Denver; and University of Maryland, Baltimore (collectively, “new *amici*”) respectfully move, through undersigned counsel, for leave to join an *amicus curiae* brief filed on behalf of U.S. research universities. In support of this motion, new *amici* further state:

1. On June 6, 2025, Boston University; Brown University; California Institute of Technology; Colorado State University; Dartmouth College; Johns Hopkins University; Massachusetts Institute of Technology; Michigan State University; Oregon State University; Princeton University; Rice University; Rutgers University; Tufts University; University of Maryland, College Park; University of Oregon; University of Pennsylvania; University of Pittsburgh; and Yale University (collectively, “existing *amici*”) sought leave to file a brief as *amici curiae* in support of Plaintiff. *See* ECF No. 112. The same day, this Court granted their unopposed motion for leave to file. *See* ECF No. 114.

2. Like existing *amici*, new *amici* are American research universities that conduct federally funded scientific research. They seek leave to join existing *amici* in filing a brief that helps shed light on the ways in which the termination of Harvard University's funding will inflict harm far beyond Harvard. As existing *amici* explained in their motion for leave to file, the funding cuts would negatively impact the entire research ecosystem. New *amici* seek to join existing *amici* in offering this Court a broader perspective on the damage the cuts would do to the Nation's universities, to the public welfare, and to America's position in the world. *See Ark. Tchr. Ret. Sys. v. State St. Bank & Tr. Co.*, 523 F. Supp. 3d 181, 193 (D. Mass. 2018) (district courts "frequently welcome" the assistance of *amici* when the legal issues "have potential ramifications beyond the parties directly involved" (quoting *Conservation Cong. v. U.S. Forest Serv.*, No. 2:14-cv-2228-GEB, 2015 WL 300754, at *1 (E.D. Cal. Jan. 22, 2015))); *see also* ECF No. 112.

3. In accordance with Local Rule 7.1(a)(2), counsel for new *amici* attempted to contact counsel for the parties to obtain their position on the supplemental list of *amici* via e-mail at 5:46 PM on Sunday, June 8. Neither party has responded.

For the foregoing reasons, new *amici* respectfully request that the Court grant their motion to supplement the list of *amici*.

Dated: June 9, 2025

Respectfully submitted,

/s/ Daniel J. Cloherty
 Daniel J. Cloherty (BBO #565772)
 Victoria L. Steinberg (BBO #666482)
 Alexandra Arnold (BBO #706208)
 Cloherty & Steinberg LLP
 One Financial Center, Suite 1120
 Boston, MA 02111
 (617) 481-0160
 dcloherty@clohertysteinberg.com
 vsteinberg@clohertysteinberg.com
 aarnold@clohertysteinberg.com

Counsel for Amici Curiae

Donald B. Verrilli, Jr. (D.C. Bar No. 420434)*
Helen E. White (D.C. Bar No. 1741368)**
Esthena L. Barlow (D.C. Bar No. 90000252)*
MUNGER, TOLLES & OLSON LLP
601 Massachusetts Avenue, NW, Suite 500E
Washington, D.C. 20001
(202) 220-1100
Donald.Verrilli@mto.com
Helen.White@mto.com
Esthena.Barlow@mto.com

**Pro hac vice* application forthcoming

** *Pro hac vice* application forthcoming and
application for admission pending

Counsel for American University; Boston University; Brown University; California Institute of Technology; Colorado State University; Dartmouth College; Georgetown University; Johns Hopkins University; Massachusetts Institute of Technology; Michigan State University; Oregon State University; Princeton University; Rice University; Rutgers University; Stanford University; Tufts University; University of Delaware; University of Denver; University of Maryland, Baltimore; University of Maryland, College Park; University of Oregon; University of Pennsylvania; and University of Pittsburgh.

CERTIFICATE OF SERVICE

I hereby certify that on June 9, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. Notice of this filing will be sent to all attorneys of record by operation of the Court's electronic filing system.

Dated: June 9, 2025

/s/ Daniel J. Cloherty
Daniel J. Cloherty

CERTIFICATE OF COMPLIANCE

I hereby certify that on June 8, 2025, counsel for *amici curiae* attempted to confer with counsel for Plaintiffs and Defendants. I further certify that neither Plaintiffs nor Defendants had responded by the time of filing this motion.

Dated: June 9, 2025

/s/ Daniel J. Cloherty
Daniel J. Cloherty